

REMARKS

The Applicant sincerely appreciates the thorough examination of the present application as evidenced by the Office Action of March 3, 2009 (the Office Action). In particular, the Applicant appreciates the withdrawal of all rejections (based on U.S. Patent No. 6,724,876) from the Office Action of February 21, 2008, and the withdrawal of all rejections (based on U.S. Patent Nos. 6,724,876 and 6,072,857) of September 17, 2008. By this amendment, the Applicant has amended independent Claims 1, 12, 23, 34, and 48 to more clearly incorporate language of respective wherein clauses in the elements of the claims; and amended Claims 4, 5, 26, 27, 45, and 46 to provide consistency therewith. The Applicant has also amended dependent Claims 9 and 31 to reflect that the term "switch" has antecedent basis in the respective independent claims. Because the amendments of these claims merely rearrange recitations and/or correct issues relating to antecedent basis, the Applicant respectfully submits that these amendments do not raise new issues.

In the following remarks, the Applicant will show that all claims are patentable over U.S. Patent No. 6,292,551 to Entman et al. (Entman) which has been newly cited in the present application. Accordingly, a Notice of Allowance is respectfully requested in due course.

Independent Claims 1, 23, And 45 Are Patentable Over Entman

Claims 1, 23, and 45 have been rejected under 35 U.S.C. Sec. 103(a) as being unpatentable over Entman. The Applicant respectfully submits, however, that Claims 1, 23, and 45 are patentable for at least the reasons discussed below.

Claim 1, for example, recites a method of operating a communication network, the method comprising:

- receiving a call initiating communication from an initiating device directed to a network administration application, the call initiating communication including an identification of the initiating device and an identification of the network administration application;

- obtaining an identification of a target device for which action is being requested by the initiating device; and

- forwarding the call initiating communication as a command communication

from the network administration application to a switch for a subscriber line providing service for the target device, the command communication including the identification of the initiating device, the identification of the target device, and a code identifying the action being requested by the command communication. (Underline added.)

Claim 1 thus recites forwarding a call initiating communication as a command communication including a code identifying action being requested by the command communication.

The Office Action provides a same broad rationale for the rejection of Claims 1, 3-24, and 26-55. In particular, the Office Action states that:

With respect to claims 1, 3-24 and 26-55, Entman et al. teach a method and system for effecting telecommunications service features, call control information using a call control application, a command communication including identification of initiating and target devices and a code. Note the reference does not specifically teach ISUP but does teach the use of PSTN (Col. 4, line 24) and ISDN (Col. 4, line 53) which the use ISUP messages in ISDN would have been obvious to one of ordinary skill in the art. Note that Entman et al. teach the use of both in-band and out band signaling (Col. 5, line 53 and Col. 7, line 63, respectively). In addition, Note Figs. 1-3 and Col. 6, lines 17-29, Col. 6, line 34 – Col. 7, line 45 and Col. 8, line 36 – Col. 9, line 50. (Underline added.)

Office Action, page 2.

While Entman discusses both in-band signaling and out-of-band signaling, in both cases, this signaling is discussed to "automatically establish a replacement call connection for an existing call connection without disrupting the communication between the caller and the called party." Entman, col. 1, lines 6-8, underline added. *See also*, Entman, col. 5, lines 55-58; col. 7, line 65 to col. 8, line 1; and col. 10, lines 24-38. The in-band and out-of-band signaling is thus provided during an existing call so that Entman teaches away from forwarding a call initiating communication as a command communication including a code identifying action being requested by the command communication.

Accordingly, the Applicant respectfully submits that Claim 1 is patentable over Entman. The Applicant further submits that Claims 23 and 45 are separately patentable for reasons similar to those discussed above with respect to Claim 1. In addition, dependent Claims 2, 4-11, 24, 26-33, 46-47, and 50-52 are patentable at least as per the patentability of Claims 1, 23, and 45 from which they depend.

Independent Claims 12, 34, And 48 Are Patentable Over Entman

Claims 12, 34, and 48 have been rejected under 35 U.S.C. Sec. 103(a) as being unpatentable over Entman. The Applicant respectfully submits, however, that Claims 12, 34, and 48 are patentable for at least the reasons discussed below.

Claim 12, for example, recites a method of operating a communication network, the method comprising:

receiving a command communication as a call initiating communication at a switch for a target device, the command communication including an identification of an initiating device, an identification of the target device, and a code identifying an action relating to service for the target device;

forwarding the command communication from the switch for the target device to a network administration application corresponding to the switch for the target device; and

initiating action at the network administration application relating to service for the target device according to the code included in the command communication.

Claim 12 thus recites receiving a command communication as a call initiating communication including a code identifying an action relating to service for a target device.

Accordingly, Claim 12 is patentable for reasons similar to those discussed above with respect to Claim 1. More particularly, Entman discusses in-band and out-of-band signaling provided during an existing call so that Entman teaches away from a call initiating communication including a code identifying an action relating to service for a target device.

The Applicant thus submits that Claim 12 is patentable over Entman. The Applicant further submits that Claims 34 and 48 are patentable for reasons similar to those discussed above with respect to Claim 12. In addition, dependent Claims 13-22, 35-44, 49, and 53-55 are patentable at least as per the patentability of Claims 12, 34, and 48 from which they depend.

Various Dependent Claims Are Separately Patentable Over Entman

Dependent Claims 2, 4-11, 13-22, 24, 26-33, 35-44, 46-47, 49, and 50-55 are patentable for the reasons discussed above with respect to the independent claims from which they depend. Various ones of these dependent claims are also separately patentable for at

least the additional reasons discussed below.

Dependent Claim 50, for example, depends from Claim 1, and thus includes all recitations discussed above with respect to Claim 1. In addition, Claim 50 recites that "the code identifying the action relating to the target device is included in a redirecting party field of the command communication." While Entman discusses a system that can be part of a public switched telephone network (PSTN) (*see*, Entman, col. 4, lines 19-24) and trunk facilities that need not be ISDN facilities (*see*, Entman, col. 4, lines 52-55), Entman fails to teach or suggest a code identifying an action relating to a target device being included in a redirecting party field of a command communication, and the Office Action does not identify any portion of Entman as teaching or suggesting such a code in a redirecting party field. Accordingly, the Applicant respectfully submits that Claim 50 is separately patentable over Entman. In addition, dependent Claims 6, 16, 20, 28, 38, 42, 47, 49, and 51-55 are separately patentable for reasons similar to those discussed above with respect to Claim 50.

Dependent Claim 11 depends from Claims 1 and 9, and thus includes all recitations discussed above with respect to Claim 1. In addition, Claim 11 (including recitations of Claim 9) recites that:

receiving the command communication at the switch for the subscriber line providing service for the target device; and

responsive to receiving the command communication at the switch for the subscriber line providing service for the target device, initiating action relating to service for the target device according to the code included in the command communication...

... wherein initiating action comprises changing a status of service for the target device.

In contrast to changing a status of service for a target device, Entman discusses replacing "an existing communication connection with another equivalent communication connection in an automated manner that does not disrupt the existing call...." Entman, col. 3, lines 64-67. Accordingly, the Applicant submits that Claim 11 is separately patentable over Entman. In addition, dependent Claims 17, 33, and 39 are separately patentable for reasons similar to those discussed above with respect to Claim 11.

The dependent claims are patentable at least based on their dependence from a

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patentable independent claim, and the Applicant traverses the rejection of the dependent claims. However, as each of these claims depends from a base claim that is believed to be in condition for allowance, the Applicant does not believe that it is necessary to argue the allowability of each dependent claim individually. The Applicant does not necessarily concur with the interpretation of these claims, nor with the bases for rejection set forth in the Office Action. The Applicant therefore reserves the right to address the patentability of any of these claims individually as necessary in the future.

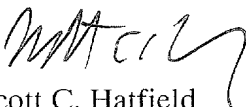
Dependent Claim 2 Is Separately Patentable As No Rejection Has Been Applied

The Office Action states that: "Claims 1, 3-24 and 26-55 are rejected under 35 U.S.C. Sec. 103(a) as being unpatentable over U.S. Patent No. 6,292,551 (Entman et al.)." Office Action, page 2. The Applicant notes, however, that no rejections have been applied to Claim 2. Accordingly, the Applicant believes that Claim 2 is separately patentable.

CONCLUSION

Accordingly, the Applicant submits that all pending claims in the present application are in condition for allowance, and a Notice of Allowance is respectfully requested in due course. The Examiner is encouraged to contact the undersigned attorney by telephone should any additional issues need to be addressed.

Respectfully submitted,


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CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on May 7, 2009.


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